

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: OKURA et al.

Art Unit 1632

Application No.: 09/479,862

Confirmation No.: 3626

Examiner: R. SHUKLA

Filed: January 10, 2000

Washington, D.C.

For GENOMIC DNA ENCODING A POLYPEPTIDE..

Atty.'s Docket: OKURA=1A

Date: July 23, 2003

BY HANDCARRY

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop AF
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Transmitted herewith is a ☒ Amendment After Final Rejection ☐ _____
in the above-identified application.

- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- ☐ No additional fee is required.
- ☒ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA EQUALS
TOTAL	* 7	MINUS	** 20		0
INDEP.	* 4	MINUS	*** 3		1
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					

ADDITIONAL FEE TOTAL

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 9	\$
x 42	\$
+ 140	\$
ADDITIONAL FEE TOTAL	
\$	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
> 18	\$
> 84	\$ 84.00
+ 280	\$
TOTAL	
\$	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☒ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within

☐ First - \$ 55.00

☐ Second - \$ 205.00

☐ Third - \$ 465.00

☐ Fourth - \$ 725.00

Month After Time Period Set

Other Than Small Entity
Response Filed Within

☒ First - \$ 110.00

☐ Second - \$ 410.00

☐ Third - \$ 930.00

☐ Fourth - \$ 1450.00

Month After Time Period Set

☐ Less fees (\$) already paid for ___ month(s) extension of time on _____.

☐ Please charge my Deposit Account No. 02-4035 in the amount of \$ _____.

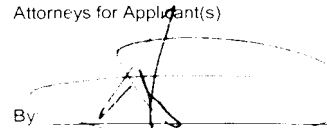
☒ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 194.00

☐ A check in the amount of \$ _____ is attached (check no.).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK

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AFTER FINAL PROCEDURE - PLEASE EXPEDITE HANDLING

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Art Unit: 1632
OKURA et al.) Examiner: R. Shukla
Appln. No.: 09/479,862) Washington, D.C.
Filed: January 1, 2000) July 23, 2003
For: GENOMIC DNA ENCODING A) Atty. Docket: OKURA=1A
POLYPEPTIDE CAPABLE OF...)
Confirmation No.: 3626) BY HANDCARRY

AMENDMENT AFTER FINAL REJECTION

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop AF**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

In response to the Office Action of March 25, 2003,
petition and payment for a one month extension of time being
attached hereto, please amend as follows:

Amendments to the Claims are reflected in the listing of
claims which begins on page 2 of this paper.

Remarks/Arguments begins on page 5 of this paper.

Attachments: copy of U.S. Patent No. 5,358,866

01 FC:1251

04.00 15

02 FC:1251

100.00 09